

The Supreme Court of Montana
Office of the Court Administrator

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TO: Law and Justice Interim Committee

FROM: Beth McLaughlin
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RE: Proposed Legislation

The Supreme Court is requesting the following bill drafts:

1. Remove the 2019 sunset from the child abuse diversion project. The project, allows the court to provide a facilitator to develop agreements between parents and DPHHS to maintain the safety of children without filing a formal court petition. The program is showing some success in reducing court filings.
2. Clarify provisions of the pre-trial program enacted by the 2017 Legislature in SB59. The contents of the proposed bill are contingent on 2019 budget actions. If the program is not funded, the legislation would remove the requirement to develop and manage the program.
3. Remove the requirement for the state to pay travel costs for prosecution witnesses in criminal cases. This statute, left over from the state assumption of District Courts, requires the state court system to reimburse counties for travel costs related to prosecution witnesses in criminal trials. It is a conflict for state judges to manage these expenses and should be a county responsibility.
4. Remove the requirement from statute for the Youth Court to have a placement committee meeting when placing a youth. Instead the placement committee would be discretionary depending on the need of the youth.